

No.

CR 14

SEALED BY ORDER
OF THE COURT

FILED E-filing
OCT 15 2014
BLF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HRL

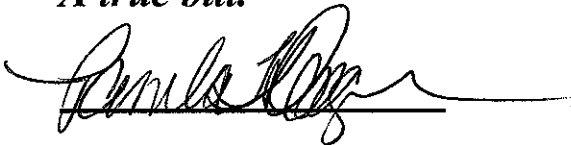
THE UNITED STATES OF AMERICA
vs.

RYAN LOPEZ BERNARDEZ

INDICTMENT

Count One: 16 U.S.C. § 1538(a)(1)(E) – Transportation of an Endangered Species;
Count Two: 16 U.S.C. § 3372(a)(1) – Transporting and Selling Fish in Violation of Law,
Treaty or Regulation

A true bill.



Foreperson

Filed in open court this 15th day of October

A.D. 2014


UNITED STATES MAGISTRATE JUDGE

Bail. \$ No Bail Arrest Warrant

DOCUMENT NO.	CSAK
INITIAL	
1	
DISTRICT COURT	
CRIMINAL JUSTICE	

MELINDA HAAG (CABN 132612)
United States Attorney

FILED
OCT 15 2014

SEALED BY ORDER
OF THE COURT

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BLF
HRL

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN LOPEZ BERNARDEZ,

Defendant.

CASE NO.

VIOLATIONS

CR 14 00524

16 U.S.C. § 1538(a)(1)(E) – Transportation of an
Endangered Species; 16 U.S.C. § 3372(a)(1) –
Transporting and Selling Fish in Violation of Law,
Treaty or Regulation

INDICTMENT

The Grand Jury Charges:

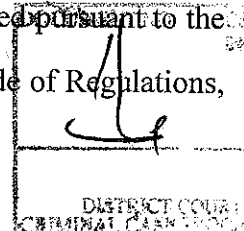
COUNT ONE: (16 U.S.C. § 1538(a)(1)(E) – Transportation of an Endangered Species)

On or about February 24, 2010, in the Northern District of California, the defendant,

RYAN LOPEZ BERNARDEZ,

did knowingly ship in interstate commerce, and cause others to ship in interstate commerce, in the
course of commercial activity, an endangered species of fish, *to wit*: two Asian Arowana, also known as
Asian Bonytongue, (*scleropages formosus*), which species had been listed as endangered pursuant to the
Endangered Species Act, Title 16, United States Code, section 1533, and Title 50, Code of Regulations,

INDICTMENT



1 section 17.11(h);

2 All in violation of Title 16, United States Code, section 1538(a)(1)(E).

3 COUNT TWO: (16 U.S.C. § 3372(a)(1) – Transporting and Selling Fish in Violation of Law, Treaty or
4 Regulation)

5 On or about February 24, 2010, in the Northern District of California, the defendant,

6 RYAN LOPEZ BERNARDEZ,

7 did knowingly transport, cause others to transport, and sell, fish, *to wit*: two Asian Arowana, also known
8 as Asian Bonytongue, (*scleropages formosus*), in violation of a law of the United States, *to wit*: the
9 Endangered Species Act, Title 16, United States Code, section 1533, and a Regulation of the United
10 States, *to wit*: Title 50, Code of Regulations, section 17.11(h);


11 All in violation of Title 16, United States Code, section 3372(a)(1) .


12 DATED:

A TRUE BILL.

13 
14 FOREPERSON

15 MELINDA HAAG
16 United States Attorney

17 
18 JEFF NEDROW
19 Chief, San Jose Branch Office

20 (Approved as to form: 
21 AUSA GARY G. FRY

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INDICTMENT

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

Count One: 16 U.S.C. § 1538(a)(1)(E) - Transportation of an Endangered Species; (Class A misdemeanor)
 Count Two: 16 U.S.C. § 3372(a)(1) - Transporting and Selling Fish in Violation of Law, Treaty or Regulation (Felony)

☐ Petty
☐ Minor
☒ Misdemeanor
☒ Felony

PENALTY: Count One: One year imprisonment; \$50,000 fine; one year supervised release; and \$100 special assessment.
 Count Two: Five years imprisonment; \$20,000 fine; three years supervised release; and \$100 special assessment.

+

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

U.S. Fish and Wildlife Service, S/A John Baker

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW
DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person
 Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.
 Attorney (if assigned) GARY G. FRY

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

RYAN LOPEZ BERNARDEZ

DISTRICT COURT NUMBER

CR 14

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IS NOT IN CUSTODY

Has not been arrested, pending outcome of this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction

☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount: No Bail

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: